



THE
CASE
OF THE
College of Physicians,
LONDON.

*Memor^y Lunendⁿ
was subscribed by 11
of the 12. present
petitioners against
us.*

*Amongst^{ch} were
severall of the s:
Petitioners viz:
Dr. Rogers Presid:
Dr. Lawson
Dr. Crook
Dr. Downes
Dr. Browne*

THE President of the College of Physicians, London, having Summon'd a College about October, 1685. acquainted them that Orders would be given for a *Quo Warranto* against their Charter, and therefore required their Opinion whether they should defend it; the Question being put by Ballot, twenty three of twenty seven of the Fellows gave their Vote for a surrender thereof; after which, the said surrender was subscribed by all the Fellows, except one.

The College not long after appointed a Committee to act in relation to a New Charter to be granted them, which Committee consisted of the President and seventeen Fellows, who were to consider what Privileges were necessary to be inserted therein; among which, it was thought to be for the Interest of the College, that their number should be increas'd to fourscore, which being accordingly propos'd in open College by the President, was receiv'd without Contradiction; the reasons inducing them to augment their number, were

1. The great increase of the City and its Inhabitants, since the year 1663, at which time the number of Fellows was by the Charter of King Charles II. augmented from thirty to forty.

2. There being a great many Physicians in Town of Eminent Learning and Reputation, (who not being of the number of the Fellows might be induced to promote a separate Interest, and secretly or openly to obstruct the College Proceedings,) it was concluded, that it would extremely strengthen the College against all Empericks and unlawful Practisers, if such Eminent and able Physicians were by the opportunity of the New Charter Incorporated into the Fellowship; and thereby more encouraged to promote the Publick Good.

3. By the Incorporation of these Members the Society had this further advantage, That whereas the College was at that time unhappily brought into a great Debt of six thousand pounds, no less than fifteen hundred pounds



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pounds were immediately receiv'd towards the payment thereof by the ordinary Fees and Subscriptions of the new Fellows ; and a certain method provided for the discharge of the remaining Debt (twice as soon as other-ways we could have done) by the more frequent admission of new Fellows upon the death or recess of the present Members.

The only grievance which happen'd (as we conceive,) by this New Charter, (except that Clause concerning the Kings displacing the Members at pleasure) was, that four or five of the Fellows were left out, not in the least by any application from the Society, but by the will of those who were then in power, as may appear from the carriage of the College to them in that Juncture, who upon receiving their New Charter, (a question arising about those Fellows) declared, that they should be treated with the same respect as formerly. And so tender was the Committee of the College of them, that though it was often and earnestly moved that a Catalogue of the present Members should be Printed, yet it was constantly obstructed; least by leaving them out, we should seem not to own them Fellows of the said College: And as soon as the then Government looked with any favour towards them, a Committee of the College (without any application from them,) waited upon the Lord Chancellour to represent their Case, and to desire they might be restored ; and accordingly they were summon'd, (as the other Fellows,) to the next College Meeting, and restor'd to the same Place and Privilege with the rest of the Body ; And an Order was forthwith given that a Catalogue should be Printed, in which their Names were inserted, and they owned therein as Fellows of the said Society. And so sensible are the Fellows of the former Constitution of the Factions and Misfortunes that must attend their Corporation, if they should be again reduced to their former number, that the Majority of them have under their hands declar'd it to be their sense and desire, that it should stand and continue as now it is, without any alteration as to Number.

As to the Privileges granted to the College by the Charter of K. Ch. II. or any former King, they are so far from being taken from us by the Charter of K. J. II. that they are all confirmed thereby ; and that of K. Ch. II. returned entire together with the new one, which new one is not a Charter granted upon a Surrender, but a new Charter confirming all our former Charters, and giving us several other useful and necessary Priviledges to our good Government and well-being.

It is further to be consider'd, that there is a very great difference between the Charters of other Corporations, and the case of our Charter. For the College of Physicians, as such, is no ways concern'd in Elections for Parliament, nor has any influence on the publick Affairs of the Nation: Nor as the College was Constituted and Confirmed by several Acts of Parliament, was the number of Fellows ever limited by any ; that being left to be augmented as the Society from time to time should in prudence think fit: And we humbly conceive that our late augmentation of Fellows would not have met with any dislike, had it not happened at a time when the general Surrender of Charters gave a National Offence ; nor hath the College any Privileges granted contrary to Law, or the Common Interest of the Nation.

We do not insist upon the Charter nor has our Relation to it except as to the increase of the number of Fellows from 40 to 80.